

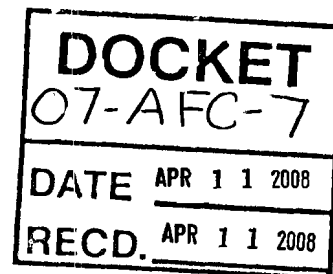
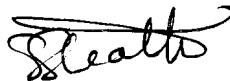
Memorandum

Date: April 11, 2008

Telephone: (916) 651-0966

To: Chairman Jackalyne Pfannenstiel, Presiding Member
Commissioner Karen Douglas, Associate Member

From: California Energy Commission – Shaelyn Strattan
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512



Subject: **COMMUNITY POWER PROJECT (07-AFC-7) STATUS REPORT #2**

Pursuant to the Committee Scheduling Order dated January 18, 2008, the following is Energy Commission staff's Status Report #2 for the proposed Community Power Project (CPP).

Pending Data Requests

Staff has been working through the analysis phase of the Application for Certification (AFC) process for the proposed CPP.

The applicant has not responded fully to Round #1 Data Requests, filed on January 23, 2008. The applicant filed Set 1A Data Responses on February 25, 2008, but was unable to provide all requested information. Set 1B Data Responses, addressing Data requests #49 and #50 (Socioeconomics), were received on February 28, 2008. Data Requests are still outstanding for Biology, Cultural Resources, Land Use, Waste Management, and Water Resources. Biological, Cultural, and Hazardous Waste surveys and studies are in progress.

The applicant has indicated that some additional data responses (Set 1C) will be forthcoming on or before May 1, 2008. Late June or early July 2008 is the applicant's target date for submission of the Alternatives Level Analysis of the PG&E transmission line reductorings (response to Data Request #52). The applicant expects to complete the Phase I Environmental Site Assessment (ESA) for the natural gas and water pipeline routes some time in July.

Supplemental Filing by Applicant

The applicant has indicated they intend to submit an AFC Supplement B, which will include minor transmission line reroutes and a new 60-acre construction staging area, in the latter part of June or first part of July 2008.

Following receipt of the new AFC Supplement, it is reasonable to assume that a second round of data requests will be needed to address the proposed project changes, reductoring analysis, and Phase I ESA.

PROOF OF SERVICE (REVISED 3/21/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 4/11/08
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Other Coordination Activities

- Staff conducted a Data Response and Issue Resolution Workshop on March 6, 2008 in Parlier. Due to the number of topics under discussion, the workshop was continued to April 3, 2008 to address the remaining data requests for Cultural Resources, Air Quality, and Water Resources.
- The applicant has submitted a status report to Energy Commission staff on their efforts to obtain air quality emission reduction credits. However, no progress has been made to date.
- Staff held a teleconference with Fresno County Public Works and Planning personnel on April 10, 2008 to discuss the applicability of county building and zoning requirements to local agencies, such as Kings River Conservation District (KRCD), and to invite the county to comment on Land Use, Agriculture, and Public Works issues and procedures as they relate to the proposed CPP.
- Staff has yet to receive an estimated filing date from the San Joaquin Valley Air Pollution Control District (SJVAPCD) for the Preliminary Determination of Compliance (PDOC).
- Staff has yet to receive documentation that the applicant has initiated cancellation proceedings for the project site with Fresno County for the existing Williamson Act Contract #1156.

Project Manager Transition

Due to increased workload demands associated with personnel changes within the Siting Division, Che McFarlin will be transferring the duties of CPP Project Manager to Shaelyn Strattan. Over the next few weeks, Mr. McFarlin will be working with Ms. Strattan to ensure a smooth transition. Ms. Strattan can be contacted at (916) 651-0966 or by email at mstratta@energy.state.ca.us.

Schedule

At this time, given the incomplete responses to the first round of data requests and the likelihood of a second round of data requests following the anticipated submission of Supplement B, staff believes it cannot maintain the schedule as issued by the Committee in their order dated January 18, 2008.

The following table summarizes the Committee's initial schedule in comparison to staff's currently projected timeline. At this time, staff anticipates publishing the Preliminary Staff Assessment in mid-October 2008, which represents a five-month slip in the Committee's schedule. Staff will propose additional adjustments to the schedule for publication of the PSA after all data requests have been responded to, issues related to those responses have been resolved, staff has reviewed the project changes proposed in the Applicant's AFC Supplement B, and the PDOC has been received from

SJVAPCD. If the applicant is able to provide all information earlier than expected and a second round of data requests is not required, staff may be able to issue the PSA earlier than projected.

Committee's Initial Schedule	Staff's Projected Schedule	Event
12/5/07	12/5/07*	AFC data adequate
1/6/08	1/23/08*	Staff files 1st set of Data Requests
1/14/08	1/14/08*	Informational Hearing and Site Visit
2/7/08	2/25/08**	Applicant provides Data Responses – Set 1A
N/A	2/28/08*	Applicant provides Data Responses Set 1B (DRs #49-#50)
2/29/08	2/29/08*	Parties file Status Reports #1
2/21/08	3/6/08*	Data Response and Issue Resolution workshop #1
N/A	4/3/08*	Continuation of Data Response and Issue Resolution workshop #1
4/11/08	4/11/08*	Parties file Status Reports #2
N/A	5/2/08	Applicant provides Data Responses Set 1C
4/3/08	5/16/08	Local, state, and federal draft determinations due
5/23/08	5/23/08	Parties file Status Reports #3
6/20/08	6/20/08	Parties file Status Reports #4
N/A	7/11/08	Applicant files AFC Supplement B
7/17/08	7/17/08	Parties file Status Reports #5
2/28/08	7/21/08	Staff files 2 nd set of Data Requests (if necessary)
N/A	8/15/08	Parties file Status Reports #6
3/27/08	08/22/08	Applicant provides Data Responses Set 2 (if necessary)
4/3/08	No Estimated Date Available	SJVAPCD files PDOC
4/3/08	5/16/08	Local, state, and federal draft determinations due
4/10/08	08/28/08	Data Response and Issue Resolution workshop #2 (if necessary)
N/A	9/18/08	Parties file Status Reports #7
5/2/08	10/17/08	Staff files Preliminary Staff Assessment (PSA)
N/A	10/25/08	Parties file Status Reports #8
5/16/08	10/31/08	Staff conducts PSA workshop
6/16/08	11/17/08	Local, state, and federal agency final reports due
N/A	11/25/08	Parties file Status Reports #9
6/2/08	No Estimated Date Available	SJVAPCD files Final Determination of Compliance (FDOC)
7/2/08	12/1/08	Staff files Final Staff Assessment (FSA)
N/A	1/9/09	Parties file Status Reports #10
7/9/08	12/8/08	Staff conducts FSA workshop (if needed)
TBA	TBA	Prehearing conference

* Actual date milestone occurred

Highlighted – Milestone completed

** Incomplete

Chairman Jackalyne Pfannenstiel, Presiding Member
Commissioner Karen Douglas, Associate Member
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cc: Docket (07-AFC-7)
Proof of Service List

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION
for the KINGS RIVER CONSERVATION
DISTRICT COMMUNITY POWER
PROJECT**

Docket No. 07-AFC-7

**PROOF OF SERVICE
(REVISED 3/21/08)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

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DECLARATION OF SERVICE

I, Christina Flores, declare that on April 11, 2008, I deposited copies of the attached Community Power Project Status Report #2, in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.



Christina Flores